

MEMO ENDORSED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

EDWARD BRONSON, E-LIONHEART  
ASSOCIATES, LLC d/b/a FAIRHILLS CAPITAL

Defendants,

and

FAIRHILLS CAPITAL, INC.

Relief Defendant.

Case No. 7:12-cv-06421-KMK

NOTICE

Please take notice that Defendant Bronson was unable to make the September 13, 2021 payment due pursuant to this Court's Order [D.E. 272] because Mr. Bronson lacks the financial capacity to comply. *See Paramedics Electromedicina Comercial, Ltda. v. GE Medical Systems Information Technologies, Inc.*, 369 F.3d 645 (2d Cir. 2004) ( "A contemnor may be excused from the burden of a civil contempt sanction if it lacks the financial capacity to comply; but the contemnor bears the burden of production in raising such a defense.").

Dated: October 18, 2021

Respectfully submitted,

/s/ Ryan D. O'Quinn  
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The Court will hold a hearing on  
11/22/21, at 10:00 Mr. Bronson is  
expected to provide proof that he lacks  
the financial capacity to comply with the  
Court's orders in this case.

So Ordered,  
MK 10/19/21

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this October 18, 2021, a true and correct copy of the foregoing was furnished by via CM/ECF upon all counsel of record and entitled parties.

/s/ Ryan D. O'Quinn  
Ryan D. O'Quinn